

Consultation not mandatory but desirable

It would have done a world of good

IT is true that there is no constitutional obligation for the government to consult with the opposition before selecting the chief election commissioner. However, the suddenness and abruptness of the government action raises questions as to why it chose to act the way it did given the fragile political situation we are in.

It is not just the opposition the government should think of associating with an important decision of far-reaching consequence, it must also satisfy the general public that it is acting in a fair and judicious manner. The elected government has a responsibility to the nation, to the electorate to take it along with the final choice of the person who would be at the helms of conducting the general and other elections of the country, regardless of the strict letter of the law.

We do not understand the necessity for such a unilateral move, made without much apparent reflection or deliberation. What would have been lost by consultation? Had consensus not been reached or acrimony developed, the government would then have been perfectly justified in naming someone to the post.

This would perhaps have been the more acceptable approach and the one that we would expect from a democratically elected government. Who knows? Perhaps the opposition would have agreed to Justice Aziz had they been consulted.

Let's not forget, leader of the opposition Sheikh Hasina had at least tried to initiate discussions with the then opposition BNP on the appointment of the former CEC when she was prime minister. She took the initiative to include them, but was cold shouldered and told by BNP leadership then in the opposition that they wished for the AL government to resign and the caretaker government to appoint the CEC. At least the current opposition is not taking this tack.

Indeed, the appointment of the CEC was a great opportunity missed. Consultation could have paved the way for dialogue on other issues which is vitally needed. The political divide in this country has never been worse and it is the government's duty to narrow the chasm not widen it with its self-willed exclusionary action on an important matter. We had hoped the government would have shown more maturity and more statesmanship.

Let's say this to the opposition: since the government has acted as per the letter of the law -- if not in its spirit -- there is nothing to be gained by exercising their mind further on the issue. One would expect that they give Justice Aziz the chance to demonstrate that he is indeed the right man for the job.

What rationale behind rising fuel price?

Common man will need cushion

THE government decision to increase the prices of diesel, kerosene and petrol, for the second time in six months, especially before the budget announcement and after the increase in the pay scales, has come as a surprise, speculations notwithstanding.

The principal reason cited for the price increase is the differential between import costs and selling prices. The energy minister has said that Bangladesh Petroleum Corporation (BPC) will incur an annual loss of Tk 1200 crore even after the price increase. At present the Corporation is paying Tk 2500 crore in import duties to the government annually. So one option open to the decision-makers is to reduce the import duties on fuel to cut down the losses of BPC, but it has not yet resorted to this measure. Hopefully they will, in the next budget, but the increase effected in the prices will rule.

Though the energy minister has claimed that the increase in fuel prices will not lead to further inflation, his claim seems assailable. The country will have to brace for the negative impact of price increase. First, it will raise the costs of irrigation-based agricultural production, hitting the farmers hard. Second, at least ninety per cent of fuel consumed in the country is in the categories of diesel, petrol and kerosene whose users are the general people. So the poor masses are going to be the worst affected. Third, transport cost will go up as a natural corollary to the fuel price increase. Again, the common man will have to bear the brunt of it. Higher transport costs will also push the prices of different commodities up. Also, the price differential between diesel and kerosene could encourage the dishonest elements to indulge in adulteration.

For obvious reasons, the question of providing agricultural subsidy has already arisen in view of the hardship that farmers will have to undergo. Hindsight should convince us that this is an area where corruption is not easy to prevent. So keeping the fuel prices low is the best thing that the government can do through cutting down on import duty.

M. ABDUL LATIF MONDAL

ON May 23, the government appointed Justice MA Aziz, a sitting Judge of the Appellate Division of the Supreme Court, the new Chief Election Commissioner (CEC), in contravention of the opposition parties' demand for appointing the CEC through consensus of the political parties. The post fell vacant when M A Syed's five-year tenure as the CEC ended on May 22.

The opposition political parties have expressed surprise and distress at the appointment of the new CEC without consultation with them. The main opposition AL has rejected outright the appointment of the new CEC, terming it a "unilateral decision of the government completely ignoring the nation's expectations." The AL has also ruled out the possibility of co-operating with the new CEC.

Jatiya Party (Monju) and Communist Party of Bangladesh have expressed their unhappiness at the appointment of the new CEC without discussion with the opposition parties. The left 11-party alliance has said that the appointment of the new CEC is not acceptable to them, as the government did not pay heed to the opposition parties' demand of discussion. More reaction is expected shortly from other opposition political parties, civil society leaders, and others. However, it is almost certain that the appointment of the new CEC will

eventually accept him. The government ruled out the opposition demand for appointing the new CEC through consultation with the opposition parties on the following grounds:

(a) According to the constitution of the country, the appointment of the CEC is the exclusive prerogative of the government.

(b) The AL government did not discuss the appointment of M A Syed as the CEC with the opposition.

Let me address the first point first. The constitution provides that there shall be an Election Commission for Bangladesh consisting of a Chief Election Commissioner (CEC) and such

number of other Election Commissioners (ECs), if any, as the President may from time to time direct, and the appointment of the CEC and other ECs shall, subject to any law made in that behalf, be made by the President.

It thus appears that appointment of other ECs is not mandatory and the Election Commission may consist of the CEC only. It may be mentioned that the constitution of

cessive governments have appointed persons as the CEC who were sympathetic to them. The allegations are not totally baseless. It may be mentioned in this connection that the constitutions in some of our neighbouring countries such as Pakistan, Nepal and Fiji have spelt out the eligibility of the person to be appointed the CEC.

More importantly, a close look into the present provision of the

So, the government's claim that the constitution has given it the exclusive prerogative to appoint the CEC is a matter of interpretation. It may be noted that the 1990 constitution of our neighbouring country Nepal provides for a Constitutional Council to make recommendations for appointment to the constitutional bodies including the Election Commission. The Leader of the Opposition in the House of

culture has not developed.

It is a fact that in the past no discussion took place between the party government(s) and the opposition over the appointment of the CEC. The Prime Minister of the immediate past AL government and president of her party has, however, claimed that she sent at least two letters to the then Leader of the Opposition (Begum Khaleda Zia) inviting her to a dialogue before the appointment of the immediate past CEC MA Syed, but there was no response.

There has as yet been no denial from the government. Moreover, the importance of holding such consultation can hardly be denied. Why could not the BNP-led alliance government start the process? In the greater national interest, the government in power must have a conciliatory attitude and should not suffer from egotism.

Who knows that a prior consultation with the main opposition AL would not have led to its acceptance of the appointment of Justice MA Aziz as the CEC, who was confirmed as a Judge of the High Court Division during the time of the immediate past AL government. Consultation with the major political parties, in particular with the main opposition party in parliament, on the appointment of the new CEC would have definitely enhanced the image of the government.

M. Abdul Latif Mondal is a former Secretary to the government.

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Sri Lanka provides for a Commissioner of Elections, who is appointed by the President and holds office during good behaviour. Our constitution is silent on the eligibility of the person to be appointed the CEC. The constitution has also not provided the detailed procedure for appointment of the CEC. No law determining the eligibility of the person to be appointed the CEC and making provision for consultation with the opposition parties, in particular with the Leader of the Opposition, for appointing the CEC has yet been enacted.

As a result, there have been continuous allegations during the last three decades or so that suc-

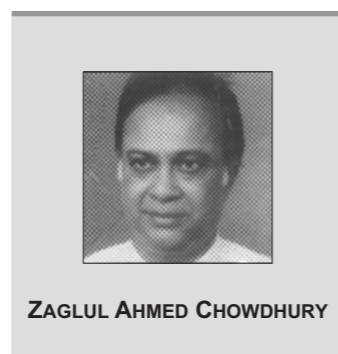
constitution regarding appointment of the CEC reveals that there is no bar to discussion with the opposition parties, particularly with the main opposition party in parliament, before making appointment to the post of the CEC.

Further, according to the constitution, the President is the final authority for approving appointment to the post of the CEC. This provision existed even prior to the Constitution (Twelfth Amendment) Act, 1991 that reintroduced parliamentary system of government. Although the executive organ of the republic includes the President, yet he is a separate entity independent of the political party/ alliance that forms the government.

Representatives is one of the members of this council that recommends appointment of the CEC.

Let me turn to the second point. When the media people asked the Minister for Law, Justice and Parliamentary Affairs Moudud Ahmed as to why the government did not discuss the appointment of the new CEC with the opposition parties, his reply was that the AL government did not discuss the appointment of M A Syed as the CEC with the opposition parties. He has, however, been frank to admit that such a culture (of discussion) has not yet developed in Bangladesh. The political culture of Bangladesh is that one party does not like another. That is why that

One year of UPA govt in India: No rupture foreseen



ZAGLUL AHMED CHOWDHURY

the major parties seldom these days remotely dream of having an absolute majority in the 545-member lower house of parliament (Lok Sabha), elected by direct popular votes. They either seek to reach electoral understanding before the voting or look for like minded parties in the event of necessity to form the government as an absolute majority is often lacking. The previous NDA government and its successor UPA alliance, all fit in

Desai, Chadraxekhar, VP Singh, HD Deve Dowda, IK Gujral and lately AB Vajpayee -- the non-Congress prime ministers -- were products of coalition culture. The present head of government Dr. Manmohan Singh is no exception as he leads a multi-party government although his Congress is the dominant force in the alliance.

The coalition authorities generally come into being depending on political exigencies

remains the most powerful figure in the ruling alliance being the chairperson of the UPA.

The previous NDA government did not face any problem in second term of rule as there was hardly any infighting which was experienced in the first tenure. The presence of Vajpayee, who had no rivals as such in the alliance because of his stature, helped it maintain unity among more than twenty parties in the coalition. But it is the

majority of the UPA in the state assembly was not there. The BJP protested and finally the opposition prevailed and this came as a serious jolt to the image of the UPA. Influential railway minister Lalo Prasad Yadav has of late been charged sheeted in a case when he was chief minister in Bihar state, but he has not so far resigned. The prime minister or for that matter UPA chairperson Sonia Gandhi would have welcomed the voluntary

elected prime minister by the King was severely criticised by New Delhi has come in for criticism from several quarters including the leftists. However, the government has shown interest in the re-scheduled Saarc summit in November this year, and this will help it remain close to the Saarc family.

On the whole, the UPA government is faring reasonably well even though it is not totally free from trouble. There seems no immediate or major threat to its existence and it can rely upon leftists' support for the near future unless any serious hiccup torpedoed the understanding. Although, the absence of the leftists from a government function marking the first anniversary of the government indicates that all may not be well in the UPA-leftists relations, but no major rupture is expected barring unforeseen developments. The government seems firm in the saddle.

The first year anniversary was unfortunately marked by bomb explosions in capital New Delhi when a film was being screened allegedly containing scenes hurting the sentiments of the minority Sikh community. Delhi is ruled by Congress party and as such the development is embarrassing for the UPA. Close on the heels of the first anniversary of the government, the Bihar state assembly has been dissolved much to the criticisms of the opposition. The hung assembly failed to facilitate formation of a government but the UPA government in New Delhi chose to scrap the legislature when opposition NDA was in striking range to form a government with defectors. This will bring UPA-NDA on collision course.

Zaglul Ahmed Chowdhury is a senior journalist

MATTERS AROUND US

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the same milieu of coalition culture.

The coming together of different political forces for the purpose of rule is not unusual in parliamentary democracy, which may come by under compulsion or sheer political understanding or both, but it has also its own pitfalls particularly when none of the constituents enjoy outright majority by its own strength. This is mostly the case in the Indian political scenario these days. As such, how long the coalition government can remain in power is always a matter of interest.

The Congress which spear-headed country's independence movement, ruled the nation without any interruption for a pretty long spell and one person Jawaharlal Nehru, the first prime minister, remained at the helm till his death in 1964. Lal Bahadur Shastri, Indira Gandhi, Rajiv Gandhi and Narasimha Rao -- all Congress prime ministers -- headed their party government without any coalition. The end of single party ascendancy in the pattern of rule ended when Congress under Indira Gandhi lost in 1977 to Janata Party, which was born out of combination of several political organisations. Morarji

and at times relying on the support from outside. The UPA government has nearly 20 parties in it and obviously the ruling coalition often comes under pressure from the constituents, which have both ambitions and priorities despite having broad common agenda. The Indian government has survived these pressures in the first year evidently for the reason that none wants to jeopardise the authority that gives benefit to all.

The UPA government has several heavyweight politicians coming from various parties and their ambitions may create problem for the ruling alliance. The presence of Sharad Pawar of Maharashtra and Lalo Prasad Yadav from Bihar is potentially troublesome since these senior politicians can come to differences over their influence and strategy. However, so far a positive condition persisted despite some differences and no doubt this has been made possible largely because of the remarkable gesture demonstrated by Congress chief Sonia Gandhi, who in a near unprecedented manner refused to become prime minister when the position was on the platter. She

complacency that cost it heavily since advancement of the polls by several months was a misjudged decision which boomeranged on the NDA. A major reason for its largely unexpected electoral debacle was apathy and negligence to the rural areas. The new UPA government appears to be quite conscious of that attaching importance to the previously neglected sides. It has taken several welfare-oriented programmes. Prime minister Dr. Manmohan Singh and his finance minister P. Chidambaram often stress on the need for developing rural economy as well.

While the economy looks healthy, the UPA government has faced political embarrassment on several issues. The opposition has kept up its pot boiling against the government and is firing the salvo against the "tainted" ministers. Former coal minister Shivu Sharan was forced to quit as a sequel of an earlier criminal case and some other ministers too, including influential Lalo Prasad Yadav, are opposition's target. Mr Sharan was retaken in the ministry and later made chief minister of his Jharkhand state even when the

resignation but could not ask Lalo to quit since his 23 party MPs are important for the survival of the government. This exposes the weakness of the government on moral ground.

On foreign policy matters, earlier a reported comment by external affairs minister K. Natwar Singh on New Delhi's position in sending troops to Iraq had come under immediate criticism from both opposition and some UPA partners. The minister had retracted from the comments attributed to him evidently under pressure from the leftists and his own leader Sonia Gandhi. UPA government's policy towards the neighbours is being viewed as positive, at least compared to the NDA government, which in the last days of its rule initiated peace process with Pakistan that is being pursued more seriously by the present government.

However, the decision to skip the 13th Saarc summit in Dhaka causing postponement of the event was not without controversy and the recent decision by the government to resume arms supply to Nepal even though the dismissal of the

TO THE EDITOR TO THE EDITOR TO THE EDITOR TO THE EDITOR TO THE EDITOR



Letters will only be considered if they carry the writer's full name, address and telephone number (if any). The identity of the writers will be protected. Letters must be limited to 300 words. All letters will be subject to editing.

Security at Sitakunda

Bangladesh is full of natural beauty. Last month we, the students of Sher-e-Bangla Agricultural University, went on a trip for enjoying the beauty of Sitakunda in Chittagong district. There are two beautiful fountains and one 'mandir'.

Hills are all around there. I enjoyed all this but I realised that there was no security for the visitors.

The authorities concerned should look into the matter.
Md. Shahidur Rahman
Sher-e-Bangla Nagar, Dhaka

Oust the godfathers

The Awami League has set an example for the regime to follow. It has ousted its notorious godfather of Feni. The public would be watching with keen interest how many super-rich godfathers (religion is not a pre-requirement) are removed from the current groups in power.

The finger is never pointed inward! Ponder over the mystical denial that one cannot see one's own face. Why? The reflection in the mirror is reversed. Why (mystically) The stock market is going down (before the budget).
A Husnain
Dhaka

CHT situation

The situation in the CHT is chaotic. Only better understanding among the inhabitants in the area can help improve things.
Pavel Chakma
Rajshahi University

Private hostels for students

The photographs (in The Daily Star) of students sleeping in the corridors of DU halls are not all a pleasant sight. The problem can be solved to some extent by arranging approved, subsidised accommodation private messes and hostels in the city, to be

run by the private sector, according to rules and regulations set up by the authorities concerned. The monitoring has to be strict.

It is a good market with high demand, but the regulations have to be implemented firmly for better service to the students at rates slightly higher than those at the DU halls; till funds are available for construction of more halls.

Some NGOs are already operating female hostels for service women. The NGOs can come forward (initially) to assist in the residential problems of the university students (both male and female, considering that the majority come from the rural areas and small cities).

In the developed countries paying guest accommodation with families is also available, but in Dhaka the right culture may take some more time, as the cultural environment is not congenial at present (violence, terrorism, lack of discipline, politicisation, etc). Pre-tendering information and

feedback can be collected, before calling for tenders, and a couple of pilot projects may be awarded for evaluation and assessment, for improving the draft code for these private hostels. Doing something is better than looking helpless.
Abdad Khan
Dhaka

An appeal to PM

Higher agricultural education is considered as one of the vehicles for promoting agricultural development. Sher-e-Bangla Agricultural University (SAU), the only agrivarsity located in the capital of the agro-based Bangladesh, is committed to ensuring agricultural development at par with the government's strategy.

The SAU is the only university which developed its course curriculum on the basis of the present field demand keeping international standards in view. The course contents are frequently reviewed to incorporate most modern and

essential items in the course. But SAU is passing through a number of academic problems!

True, the present govt. under the dynamic leadership of Prime Minister Begum Khaleda Zia has been providing all sorts of support in raising SAU to a centre par excellence.

Meanwhile, we would fervently appeal to the Hon'ble Prime Minister Khaleda Zia who is also the Chancellor of SAU to kindly apply her good office to solve the academic problems of SAU including classroom, laboratory, library, students' accommodation etc.
Zahidul Haque
Sher-e-Bangla Agricultural University
Dhaka

Learning English

Learning English or American native language is something young people in our country struggle with, as some of the recent letters in the DS would indicate. Here in the US

foreign students come in and obtain a working knowledge of it within a semester or two that makes one begin to wonder why most of our students cannot do so in spite of learning it for almost their whole lives. The reasons are quite obvious, the old school methods of teaching the language based on grammar has become obsolete. For most commoners only a reasonable command to have things going for them is needed and not a thorough grounding on pedagogic canons. Pronunciation is correctly taught with emphasis not only on syllables but also on articulating proper mouth, tongue and lip movements. Expressions are taught by observing the language in action and following them in everyday use. Language cannot be stripped of its culture and English and Bengali are not just two interchangeable mediums. Most of us like to think that by learning the rules of grammar, original thoughts in Bengali can simply be translated to English. While this works to some extent, it

often enough gives rise to weird expressions. Therefore, instead of attaching importance to grammar the language can be much better learned by speaking, reading, writing and particularly following Western cultural products (books, movies, dramas, music, etc.). In this day of information boom making a direct contact with native cultures and speakers is just a mouse click away.
Mujtaba Ahsan
On e-mail

Sunday as holiday

I fully endorse the views aired by Syed Farhat Roomy and Essam Sohail regarding declaring Sunday as weekly holiday. Essam Sohail described the historic perspective of the Friday prayers. I would like to underscore a few more points. Friday as a weekly holiday is a recent phenomenon. On the practical side we find that a prayer of 15 minutes consumes the whole day. It no longer remains a holiday in

'holiday' sense. Moreover, Friday is like a free-field day for the 'Mullahs' and related political elements. It seems Friday belongs to them only. They would indulge in many kinds of quasi-religious activities, political sermons etc., arrange rallies, meeting after the prayers. It only promotes rise in religious extremism in the country.

"Jumma" prayer as used to be performed in not so by gone days was more rational. People would go to the mosque, say prayers and go back to duties or home. Half to one-hour break is all, which is necessary. Sunday would have been a real holiday- to spend with family, friends, to go out etc. So, we would suggest that we ought to plan our holiday in a manner which is logical, rational, friendly and economically more viable. Sunday is the best choice from pragmatic point of views. We need to go with the majority world.
S N Mamooun
Dhaka